

United States Bankruptcy Court
Western District of New York

In re:
The Diocese of Buffalo, N.Y.
Debtor

Case No. 20-10322-CLB
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0209-1

User: admin

Page 1 of 26

Date Rcvd: Jul 24, 2023

Form ID: pdforder

Total Noticed: 5

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 26, 2023:

Recip ID	Recipient Name and Address
db	+ The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215
aty	+ Gleichenhaus, Marchese & Weishaar, PC, 43 Court Street, Suite 930, Buffalo, NY 14202-3100
pr	+ Charles Mendolera, c/o The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215
ntcapr	+ Official Committee of Unsecured Creditors, c/o Pachulski Stang Ziehl & Jones LLP, Attn: J. Stang, I. Scharf, S. Golden, 780 Third Avenue, 34th Floor, New York, NY 10017-2024

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpreion02.bu.ecf@usdoj.gov	Jul 24 2023 18:23:00	Office of the U.S. Trustee, 300 Pearl Street, Suite 401, Olympic Towers, Buffalo, NY 14202-2523

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 26, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 24, 2023 at the address(es) listed below:

Name	Email Address
Adam Ross Durst	on behalf of Defendant Employers Insurance Company of Wausau (f/k/a Employers Insurance of Wausau A Mutual Company f/k/a Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Notice of Appearance Creditor Employers Insurance Company of Wausau (formerly known as Employers Insurance

of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin)
adurst@goldbergsegalla.com

Adam Ross Durst	on behalf of Defendant Nationwide Insurance Company of America adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Notice of Appearance Creditor Wausau Underwriters Insurance Company adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Cross Defendant Wausau Underwriters Insurance Company adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Defendant Employers Insurance Company of Wausau (formally known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Defendant Wausau Underwriters Insurance Company adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Cross Defendant Employers Insurance Company of Wausau (formally known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com
Amy Keller	on behalf of Defendant JMH 100 Doe et al akeller@lglaw.com, sfischer@lglaw.com
Amy Keller	on behalf of Interested Party Don E. Whelan akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party HW 4 Doe akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party LG 65 Doe akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Attorney Lipsitz Green Scime Cambria LLP akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party Wyatt Schoenle akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party LG 74 DOE akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party LG 69 DOE akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party Dorian Reeves akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party LG 77 DOE akeller@lglaw.com sfischer@lglaw.com
Andrew Janet	on behalf of Interested Party Judith Wilcox Halsey asjanet@jjsjustice.com
Andrew Janet	on behalf of Interested Party Diana L. O'Hara asjanet@jjsjustice.com
Angela Z. Miller	on behalf of Interested Party Catholic Health System Inc. amiller@phillipslytle.com, sreiner@phillipslytle.com
Antigone Curis	on behalf of Creditor Abuse Survivors acuris7@gmail.com
Brett S. Theisen	on behalf of Interested Party Selective Insurance Company of New York btheisen@gibbonslaw.com
Brett S. Theisen	on behalf of Defendant Selective Insurance Company of America (formerly known as Exchange Mutual Insurance Company) btheisen@gibbonslaw.com
Brett S. Theisen	on behalf of Defendant Selective Insurance Company of America (f/k/a Exchange Mutual Insurance Company f/k/a Exchange Mutual Indemnity Insurance Company) btheisen@gibbonslaw.com
Brian David Barnas	on behalf of Defendant Merchants Mutual Insurance Company bdb@hurwitzfine.com robins@hurwitzfine.com
Brian Jacob Butler	on behalf of Plaintiff The Diocese of Buffalo N.Y. bbutler@bsk.com, cduger@bsk.com; kdoner@bsk.com; CourtMail@bsk.com

Brittany Mitchell Michael	on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors bmichael@pszjlw.com
Bruce Alan Anderson	on behalf of Notice of Appearance Creditor Parish Steering Committee baafiling@eidaho.com
Bruce Alan Anderson	on behalf of Interested Party Parish Steering Committee baafiling@eidaho.com
Catalina Sugayan	on behalf of Defendant Certain Underwriters at Lloyds London and Certain London Market Companies catalina.sugayan@clydeco.us, Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Interested Party Certain Underwriters at Lloyd's London catalina.sugayan@clydeco.us, Nancy.Lima@clydeco.us
Charles Edwin Jones	on behalf of Defendant Fireman's Fund Insurance Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
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Conrad Chiu	on behalf of Notice of Appearance Creditor Judith Wilcox Halsey cchiu@pryorcashman.com
Craig Goldblatt	on behalf of Notice of Appearance Creditor The Continental Insurance Company craig.goldblatt@wilmerhale.com
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Daniel J. Chiacchia	on behalf of Notice of Appearance Creditor Madonna Bishop et al dan@cf-legal.com
Daniel J. Chiacchia	on behalf of Creditor Madonna Bishop et al. dan@cf-legal.com
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Dirk C. Haarhoff	on behalf of Interested Party Selective Insurance Company of New York dchaarhoff@kslnlaw.com
Dirk C. Haarhoff	on behalf of Defendant Selective Insurance Company of America (formerly known as Exchange Mutual Insurance Company) dchaarhoff@kslnlaw.com
Dominic J. Picca	on behalf of Defendant Liberty Mutual Insurance Company djpicca@mintz.com jpsmith@mintz.com,docketing@mintz.com,naellman@mintz.com

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Douglas R Gooding	on behalf of Defendant Liberty Mutual Insurance Company dgooding@choate.com douglas-gooding-9991@ecf.pacerpro.com
Douglas R Gooding	on behalf of Interested Party Excelsior Insurance Company dgooding@choate.com douglas-gooding-9991@ecf.pacerpro.com
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Ellen M. Farrell	on behalf of Defendant Liberty Mutual Insurance Company emfarrell@mintz.com
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Geoffrey M. Miller	on behalf of Defendant U.S. Fidelity and Guaranty Company geoffrey.miller@dentons.com docket.general.lit.nyc@dentons.com
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Grady Campion	
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Harry Lee	
	on behalf of Interested Party Zurich American Insurance Company hlee@steptoe.com
Harry Lee	
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Ilan D Scharf	
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Ilan D Scharf	
	on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com
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James R Marsh	

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Jeffrey A. Carlino	on behalf of Defendant Selective Insurance Company of America (formerly known as Exchange Mutual Insurance Company) jacarlino@kslnlaw.com dfwroblewski@kslnlaw.com
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Jeffrey Austin Dove	on behalf of Defendant National Union Fire Insurance Company of Pittsburgh PA jdove@barclaydamon.com, avrooman@barclaydamon.com, jeffrey-dove-1212@ecf.pacerpro.com
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Jeffrey Austin Dove	on behalf of Cross Defendant National Union Fire Insurance Company of Pittsburgh PA jdove@barclaydamon.com, avrooman@barclaydamon.com, jeffrey-dove-1212@ecf.pacerpro.com
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Jeffrey D. Eaton	on behalf of Debtor The Diocese of Buffalo N.Y. jeaton@bsk.com, kdoner@bsk.com; tayers@bsk.com; CourtMail@bsk.com
Jeffrey F. Reina	on behalf of Defendant JMH 100 Doe et al jreina@lglaw.com, pjohnson@lglaw.com
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Jeffrey L. Kingsley	on behalf of Defendant Employers Insurance Company of Wausau (f/k/a Employers Insurance of Wausau A Mutual Company f/k/a Employers Mutual Liability Insurance Company of Wisconsin) jkingsley@goldbergsegalla.com kallen@goldbergsegalla.com
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Jeffrey Robert Anderson	on behalf of Notice of Appearance Creditor Certain Personal Injury Creditors jeff@andersonadvocates.com therese@andersonadvocates.com;erin@andersonadvocates.com;stacey@andersonadvocates.com
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Jillian Dennehy	on behalf of Interested Party TIG Insurance Company jillian.dennehy@kennedyslaw.com
Jillian Dennehy	on behalf of Defendant North River Insurance Company jillian.dennehy@kennedyslaw.com
Jillian Dennehy	on behalf of Interested Party North River Insurance Company jillian.dennehy@kennedyslaw.com
Jillian Dennehy	on behalf of Defendant U.S. Fire Insurance Company jillian.dennehy@kennedyslaw.com
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Jillian Dennehy	on behalf of Interested Party U.S. Fire Insurance Company jillian.dennehy@kennedyslaw.com
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John Maloney	on behalf of Interested Party Hartford Accident and Indemnity Company jmaloney@lawgmm.com
John A. Mueller	on behalf of Notice of Appearance Creditor The Eudists - Congregation of Jesus and Mary Inc. jmueller@lippes.com, jtenczar@lippes.com
John A. Mueller	on behalf of Notice of Appearance Creditor Franciscan Friars - Our Lady of Angels Province Inc. jmueller@lippes.com, jtenczar@lippes.com
John A. Mueller	on behalf of Notice of Appearance Creditor Oblates of St. Francis DeSales jmueller@lippes.com jtenczar@lippes.com
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John Frederick O'Connor, Jr	on behalf of Defendant Providence Washington Insurance Company joconnor@steptoe.com
John Frederick O'Connor, Jr	on behalf of Interested Party Providence Washington Insurance Company joconnor@steptoe.com
John Frederick O'Connor, Jr	on behalf of Interested Party Zurich American Insurance Company joconnor@steptoe.com
John Frederick O'Connor, Jr	on behalf of Interested Party American Guarantee and Liability Insurance Company joconnor@steptoe.com
John J. Flaherty	on behalf of Defendant JMH 100 Doe et al flarelaw@gmail.com, joanneaschultz@aol.com

John Ryan Ewell	on behalf of Notice of Appearance Creditor NGM Insurance Company jewell@gerberciano.com
Jonathan Schapp	on behalf of Defendant Employers Insurance Company of Wausau (f/k/a Employers Insurance of Wausau A Mutual Company f/k/a Employers Mutual Liability Insurance Company of Wisconsin) jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Defendant Employers Insurance Company of Wausau (formally known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Cross Defendant Wausau Underwriters Insurance Company jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Defendant Wausau Underwriters Insurance Company jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Notice of Appearance Creditor Employers Insurance Company of Wausau (formerly known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Cross Defendant Employers Insurance Company of Wausau (formally known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Defendant Nationwide Insurance Company of America jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Notice of Appearance Creditor Wausau Underwriters Insurance Company jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
Jonathan Schapp	on behalf of Interested Party Nationwide Mutual Insurance Company (f/k/a Farm Bureau Mutual Automobile Insurance Company) jschapp@goldbergsegalla.com kallen@goldbergsegalla.com
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Jonathan D Marshall	on behalf of Interested Party Liberty Mutual Insurance Company jmarshall@choate.com jonathan-marshall-4638@ecf.pacerpro.com
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Karen M Dixon	on behalf of Defendant Great American Insurance Company (successor-in-interest to Agricultural Insurance Company) kdixon@skarzynski.com
Kathleen Thomas	on behalf of Notice of Appearance Creditor Certain Personal Injury Creditors kat@tlclawllc.com
Kevin R. Lelonek	on behalf of Defendant Catholic Mutual Group klelonek@gross-shuman.com rrottaris@gross-shuman.com

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TOTAL: 569

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Buffalo, N.Y.,

Debtor.

Case No. 20-10322 (CLB)

Chapter 11

**ORDER AUTHORIZING THE DIOCESE TO OBTAIN POST-PETITION
INSURANCE PREMIUM FINANCING IN THE ORDINARY COURSE OF BUSINESS**

Upon the motion of The Diocese of Buffalo, N.Y. (the "Diocese") for entry of an order authorizing the Diocese to obtain post-petition insurance premium financing in the ordinary course of business from BankDirect Capital Finance, a division of Texas Capital Bank ("BankDirect") [Docket No. ²⁴⁴⁰] (the "Motion");¹ and it appearing that the Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue of this Chapter 11 Case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Motion has been given under the circumstances and that no other or further notice is necessary; and the Court having reviewed the Motion and the record in this Chapter 11 Case and determined that granting the relief requested in the Motion is in the best interests of the Diocese, its estate, creditors and other parties in interest; and after due deliberation thereon, and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The Premium Financing Agreements attached to the Motion as Exhibits B and C thereto are hereby approved. Notwithstanding anything to the contrary in the Premium Financing

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

Agreements, the Diocese's status as a debtor in this Chapter 11 Case shall not constitute an event of default thereunder.

3. The Diocese is authorized to enter into the Premium Finance Agreements and to obtain secured post-petition insurance premium financing pursuant to the terms set forth therein from BankDirect. BankDirect shall have the first and only lien on any unearned premiums for any Policies financed pursuant to the Premium Finance Agreements.

4. The Diocese is authorized and directed to timely make all payments due under the Premium Financing Agreement and BankDirect is authorized to receive and apply such payments to the indebtedness owed by the Diocese to BankDirect as provided in the Premium Financing Agreements.

5. In the event the Diocese fails to make any of the payments under the Premium Financing Agreements as they become due (after any applicable notice or grace periods provided for therein), the automatic stay shall be deemed modified to the extent necessary to allow BankDirect and/or third parties, including insurance companies providing the coverage under the Policies, to take all steps necessary and appropriate to cancel the Policies, collect the collateral and apply such collateral to the indebtedness owed to BankDirect by the Diocese, provided, however, that BankDirect and/or such third parties shall provide written notice to each of the Diocese, counsel to the Diocese, counsel to the Committee, and the Office of the United States Trustee at least fourteen (14) days prior to taking any action to cancel the insurance coverage provided by the Policies.


6. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, 9014 or otherwise, this Order shall be effective and enforceable immediately upon its entry. Any

subsequent modification or vacatur of this Order shall not invalidate or impair any actions taken pursuant to this Order prior to such modification or vacatur.

7. The Diocese is hereby authorized to take all actions it determines are necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

8. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

Dated: July 24, 2023
Buffalo, New York


Hon. Carl L. Bucki
Chief United States Bankruptcy Judge

